

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Serial No. 5733

Date of first receipt and filing in State Engineer's office SEP 11 1919  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_

The undersigned J.M. Simmons,  
Name of applicant  
of Gerlach, County of Washoe,  
State of Nevada, hereby make s application for  
permission to appropriate the public waters of the State of Nevada,  
as hereinafter stated. (If applicant is a corporation give date and  
place of incorporation.) \_\_\_\_\_

1. The source of the proposed appropriation is Nigger Creek  
Name of stream, lake, or other source.
2. The amount of water applied for is 1.6 second-feet.  
One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation and domestic purposes.  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following  
point: This is an application for permit to change the point of  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.  
diversion and place of use of water. See supplemental sheet.

**IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:**

- (a) Number of acres to be irrigated is \_\_\_\_\_
- (b) Description of land to be irrigated \_\_\_\_\_  
Describe by legal subdivision, or if on unsurveyed land it  
should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
- (c) Irrigation will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
Month. \_\_\_\_\_, of each year.  
Month.

**IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE  
FOLLOWING INFORMATION**

- (d) Power to be developed is \_\_\_\_\_ horsepower.
- (e) Works to be located \_\_\_\_\_  
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream \_\_\_\_\_  
Describe in same manner as point of diversion.
- (g) Remarks \_\_\_\_\_

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works

6. Estimated time required to construct works

7. Remarks

For use of applicant.

, Applicant.

By

Compared

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed \_\_\_\_\_ cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before \_\_\_\_\_ . Proof of the application of water to beneficial use must be filed with State Engineer on or before

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day  
of \_\_\_\_\_

State Engineer.

SUPPLEMENTAL SHEET.

SERIAL NO. 5733

APPLICATION FOR PERMISSION TO CHANGE THE POINT OF DIVERSION  
AND PLACE OF USE OF THE WATERS OF THE STATE OF NEVADA  
AS APPLIED FOR UNDER APP.NO.2981.

Date of first receipt and filing in State Engineer's Office SEP 11 1919  
Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

The undersigned, J.M.Simmons, of Gerlach, County of Washoe, State of Nevada, hereby makes application to change the point of diversion and place of use of water heretofore applied for under application No.2981.

1. The source of the water supply for which this application to change is made is NIGGER CREEK.
2. The quantity of water desired to be changed is 1.6 cubic feet of water per second.
3. The water is to be used for irrigation and domestic purposes.
4. The water is to be diverted from its source at the following point: in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec.33, T.36 N.R. 23 E., M.D.B & M.
5. The point of diversion applied for under application No.2981, and which is proposed to be changed as per question 4, is: NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec.15, T.35 N.R. 23 E., M.D.B.& M.
6. The water herewith desired to be changed is to be used upon the following described land: W $\frac{1}{2}$  NE $\frac{1}{4}$  and E $\frac{1}{2}$  NW $\frac{1}{4}$  Section 33, T.36 N.R. 23 E., M.D.B & M.
7. The land which was to have been irrigated under application No.2981, and which it is now proposed to abandon, is as follows: NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec.23, and NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec.26, T.35 N.R. 23 E., M.D. B&M.
8. The number of acres proposed to be irrigated under this application to change is 160.
9. The number of acres for which water was applied for under application No.2981 is 320.
10. Water will be diverted by dam at the point described under question 4 and conducted by means of ditches to the land to be irrigated heretofore described.
11. Estimated cost of proposed works: \$200.00.
12. Estimated time required to construct works: Two years.
13. Irrigation will begin about April 1st, and end about October 1st.
14. Remarks: The right applied for under application No.2981 has been purchased by me from Jos.C.Melody, and the proper assignment from Melody to myself has been made, copy of which will be filed in the State Engineer's Office.

Jacob M.Simmons  
Applicant.

Compared F.R.Jones  
This sheet inspected \_\_\_\_\_  
\_\_\_\_\_, Engineer.

PROTESTED by J.E.Kelly, September 22nd, 1919.

## APPROVAL OF STATE ENGINEER.

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change point of diversion and place of use of water, is granted with the understanding that no prior rights will be affected by the proposed change. A substantial headgate and weir must be installed and maintained at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times. It is distinctly understood that applicant agrees to the terms herein contained.

The amount of water to be ~~changed~~ shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.6 cubic feet per second.

Actual construction work shall begin on or before August 3, 1922.

Proof of commencement of work shall be filed before September 3, 1922.

Work must be prosecuted with reasonable diligence and be completed on or before August 3, 1923.

Proof of completion of work shall be filed before September 3, 1923.

Application of water to beneficial use shall be made on or before August 3, 1927.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before September 3, 1927.

WITNESS MY HAND AND SEAL this 6th day of May, 1922.

APR 21 1923

Map filed

Cultural map May 1, 1925

Proof of labor filed NOV 21 1922

Proof of completion of work filed June 29, 1925

Proof of beneficial use filed June 29, 1925

Amended Proof of beneficial use filed Jan 7, 1926

No. 5733.

The time for filing proof of completion of work under this permit is herewith extended to and including February 1, 1925. Dated this 7th day of February, 1924.

State Engineer.

The time for filing proof of completion of work under this permit is herewith extended to and including February 1, 1926. Dated this 20th day of January, 1925.

State Engineer.

Certificate No. 1146 Issued Oct 22, 1925 for 0.8206 c.f.s.

Recorded Oct 30, 1925 Ex. K Page 301

Washoe County Records

Amended Certificate No. 1146 A. 1926 Jan 15

Recorded Jan 22, 1926 Ex. K Page 339 for 0.8206 c.f.s.

Washoe County Records